



February 25, 2005

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

**RE: The Proposed City Council Resolution on the Proposed Capital Agenda for
2005-06 Through 2009-10**

Honorable City Council,

The proposed City Council resolution by City Planning Commission dated February 23, 2005 on the "Proposed Capital Agenda for 2005-06 through 2009-10" is a clear violation of the City Charter, Section 8-202 (2D). The resolution amends and modifies parts of the Proposed Capital Agenda without City Council requesting or receiving the Planning Director's recommendations. The Charter states

The city council may delete projects from the capital agenda as submitted to it, but it may not otherwise amend the capital agenda until it has requested the recommendations of the planning director. The city council shall not be bound by those recommendations and may act without them if they are not received within thirty (30) days from the date requested.

As of February 24, 2005, no request from your Honorable Body for 'recommendations' has been received.

Please refer to Your Honorable Body's staff report entitled "RE: 2005-06 through 2009-10 PROPOSED Five Year Capital Agenda (REQUESTING PUBLIC HEARING ON MONDAY, FEBRUARY 7, 2005)" from City Planning Commission dated January 19, 2005, which states:

The Charter also gives the planning director (Planning and Development Department) up to 30 days in which to respond to any City Council recommendations for changes to the Proposed Five Year Capital Agenda. The requirements for the public hearing and the department's response make it impossible this year to allow the maximum 30-day response period prior to Council's required action by March 1, 2005... Although this may not meet the specific Charter requirements, it is the best we can do this year to fulfill the Charter's intent.

The City Council Public Hearing began on February 9th, 2005 and continued on February 17th, 2005. The Charter allotted 30 day response time has not elapsed. Planning has only submitted to Your Honorable Body informational Departmental responses to your questions, comments, and recommendations (see Attachment).

The Charter does allow for City Council deletions to the Capital Agenda. The proposed Council resolution dated February 23, 2005, contains the following two deletions:

- That the Fare Integration System and the Job Access/Reverse projects be deleted in the Department of Transportation (DOT) capital plan; and
- That Herman Kiefer Health Complex (HKHC) Client Services/Support Area Renovation project be deleted in the Health Department's capital plan, in light of on-going discussion relating to the possible sale of the facility to Wayne County; and

Both Health and Transportation Departments feel that these capital improvement projects are necessary and vital, and therefore should not be deleted.

The proposed Council resolution dated February 23, 2005, contains the following nine amendments:

1. That the Modernization of Traffic Signals project under the Traffic Signals and Signing Capital Program in Department of Public Works (DPW) – Street Capital include pedestrian signals to meet the requirements of the Americans with Disabilities Act (ADA); and
2. That Major Park Redevelopment General Obligation Bond Funding be reduced in the Recreation Department's capital plan by \$500,000 for FY 2006-07 and by \$1,000,000 for FY 2007-08, 2008-09 and 2009-10; and
3. That Major Center and Facility Repairs General Obligation Bond Funding be reduced in the Recreation Department's capital plan by \$200,000 for FY 2006-2007 and by \$700,000 for FY 2007-08, 2008-09 and 2009-10; and
4. That Park Corrective Safety Issues General Obligation Bond Funding be increased in the Recreation Department's capital plan by \$300,000 for FY 2006-07, 2007-08, 2008-09 and 2009-10; and

5. That Federal and State funding be designated to revitalize the commercial business strip along Dexter Avenue from Joy Road on the south to Fenkell Avenue on the north, and for single family housing; and that funding also be allocated to include façade improvements for existing housing; and
6. That Federal and State funding be designated for commercial business development and single family and mixed-use housing for the area bounded by the Davison expressway on the north, Webb on the south, the John C. Lodge expressway on the east and Interstate 96 on the west; and
7. That Federal and State funding be designated for affordable single family housing for the Brush Park area, and that funding also be allocated for facade improvements for existing low and moderate income housing; and
8. That Federal and State funding be designated for affordable single family and mixed-use housing in the area designated as Leland Estates, bounded by Mack Avenue on the south, St. Aubin Street on the west, Forest Avenue on the north, and Grady Street on the east; and that funding also be allocated for public infrastructure and right-of-way improvements; and
9. That a new project, Ford Auditorium Renovation, be added, for the renovation of the building into a mixed-use theater with seating and parking for 5,000 people; and

As explained earlier, these proposed amendments to the Capital Agenda are not properly before City Council, and requirements for amending, as stated in the Charter, have not been fulfilled. Concerning amendments 1 through 4, these are inappropriate based on the responses given by the affected Departments: DPW and Recreation (see Attachment).



Amendments 5 thru 9 are development related amendments that are more appropriately dealt with through our Cluster planning process. The projects described in the proposed amendments are in the following Clusters: Dexter is in 6 & 10; Davison is in 6; Brush Park is in 4; Leland Estates is in 4 & 3; and Ford Auditorium is in 4. In order to designate Federal and State funding on these proposed development projects in the Capital Agenda, we would need to have development plans prepared with full participation by affected stakeholders, the master plan and zoning analyzed, budgets articulated, and strategic goals analyzed and compared. All of these projects are too premature to be included in the Capital Agenda.

As for the proposed Brush Park amendment, a development plan already exists and governs the redevelopment of the area. Any changes to this plan need to go through the process. As you are aware a significant amount of affordable housing: Bicentennial Tower, Presbyterian Village, Art Center Townhouses, and others in nearby areas, exists to address this segment of the market.

Finally, the proposed Ford Auditorium amendment also needs to be considered within the context of a plan. As you know, an extensive planning process for the East Riverfront already occurred. Ultimately, the treatment of the Ford Auditorium site will be in the context of this plan.

It would be inappropriate for the City to include these amendment projects at this time in the Capital Agenda given the March 1st deadline, and the amount of planning needed to fully develop these projects.

Respectfully submitted,

A handwritten signature in black ink, reading "Burney Johnson".

Burney Johnson,
Director of Planning Activities

cc: Kwame Kilpatrick
Walter Watkins
Roger Short
Kevin Kavanagh
Ashanté LaDille
Kandia Milton